

From: [Sullivan, David](#)
To: [Sullivan, David](#)
Subject: 2016-103948 (b)(1)(d) CIR.docx
Date: Monday, October 17, 2016 10:00:00 AM
Attachments: [2016-103948 \(b\)\(1\)\(d\) CIR.docx](#)



Seattle Police Department Case Investigation Report

Case Investigation Report: 2016-103948

Type of Crime Rape

Date of Incident 3/24/2016

Date of Last Entry [Click here to enter a date.](#)

Detective David Sullivan #6953 Unit B722B
(206) 684-5588
David.Sullivan@Seattle.Gov

UCR-

CMS- Referred to KCPA-Adult (W)

LODI- N/A

Entities:

Suspect:

DEL FIERRO, Christian

A/M/DOB 08/23/1989

Ht: 5'5" Wt: 185# Hair: Black Eye: Brown

903 Union Street, #417

Seattle, WA 98101

Tel: (253) 459-5192

Victim:

1(d)

W/F/DOB 1(d)-1993

1(d) Clement Street #

San Francisco, CA 94034

Tel: (541) 1(d)

Witness:

1(d)

W/F/DOB 1(d)-1982

1(d) Martin Luther King Jr Way

Seattle, WA 98122

Tel: (571) 1(d)



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Summary:

Victim 1 1(d) reported that she went on a date with an acquaintance, Christian DelFierro on 3/24/2016. They went to two bars on Capitol Hill where they consumed alcoholic beverages over several hours. Before leaving the second bar, they agreed to go back to DelFierro's apartment and watch TV. Up to that point in the date, they had not had any romantic physical contact. While watching TV at DelFierro's, they kissed and then began engaging in sexual contact that ultimately included intercourse. 1(d) stayed the night at DelFierro's. The following morning, 1(d) woke in DelFierro's bed with no recollection of what happened after she started drinking at the second bar. She said this was highly unusual for her. When she awoke, she said DelFierro was "forcing" 1(d) head toward his genitalia and then had her perform oral sex on him to completion. 1(d) states that activity was non-consensual, and that she was too intimidated to stop it. After returning to her home, she continued to feel "drugged." She alerted her friend to what had happened and the two went to the hospital to have 1(d) complete a sexual assault examination. When questioned about this incident, DelFierro confirmed they had sexual intercourse, but said it was consensual. He said she did not appear to him to be excessively intoxicated, and that she appeared to be in full control of her actions before, during and after their acts. He described 1(d) as being the aggressor who initiated each of the sex acts, including oral sex on him in the morning. Reports from the Washington State Crime Lab's examination of the Sexual Assault Kit confirmed the presence of male DNA, but showed no indication of unexpected substances (drugs) in 1(d) blood at the time of the exam.

Investigation:

1. 03/28/2016 – Sgt. Bair assigned me to this investigation.
2. 03/28/2016, 0845 hours – I retrieved and reviewed the General Offense Report. I noted that the suspect was not identified at this time, but likely could be based on details known by the victim. Both the victim and the suspect in this case appear to be adults, and this case appears to involve inability/incapacity to consent. I observed that the location of the incident was likely within the City of Seattle limits. I noted that the victim lives out of the city and was assaulted while visiting. She was scheduled to leave Seattle on 3/27/2016.



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3. 03/30/2016, 0910 hours – Spoke with SAU Advocate Immerwahr about the complaint. She has sent (victim) **1(d)** a contact letter, but has not heard back from her yet.
4. 0915 hours – Phone call to SFPD/SAU, telephone 415-553-1361. Spoke with Sgt. Graves. She agreed to have someone from their unit do an in-person interview with **1(d)** as needed.
5. 0922 hours – Phone call to **1(d)** No answer. Voicemail left requesting a call-back.
6. 1615 hours – Phone call from **1(d)** She agreed to meet with SFPD/SAU when they are able. She has not yet received Immerwahr's contact letter. I agreed to advise Immerwahr that we had talked and forward Immerwahr **1(d)** phone number.

1(d) stated that she had learned the last name of "Christian," and identified it as del Fierro. She said he works at a "café" at Nordstrom (she believed the corporate office) and also at the Crescent Tavern.
7. 1730 hours – Researched the name "Christian del Fierro" in Washington State records and located the following hit:

PIC: **1(g)**
Last: DEL FIERRO
First: CHRISTIAN
Middle: ALLEN
Date of birth: 08/23/1989 Gender: M Height: 5'5" Weight: 185 Eye color: Brown(BRN)
Street: 23317 61ST AVE S APT DD301 City: KENT State: WA Zip code: 98032 -4830
County: King Country: USA

That was the sole entry located based on the name data provided by **1(d)**
8. 03/30/2016, 1739 hours – Ran RMS search through SPD records. No contact with SPD located.
9. 03/31/2016, 0900 hours – Ran multiple database searches on "Christian del Fierro" and confirmed his likely address of 903 Union Street, #417 in Seattle, WA, 98101.



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10. 0930 hours – Confirmed SFPD's willingness to conduct this interview. Sgt. Graves requested I provide **1(d)** with Graves' phone number for scheduling and coordination. Sgt. Graves provided the following contact information for herself: 850 Bryant Street #500, San Francisco, CA. Email: francis.L.graves@sfgov.org.
11. 0941 hours – Phone call to **1(d)** Message left requesting call-back or email response.
12. 0950 hours – Because del Fierro was noted as a possible employee of a liquor establishment, I searched the WA Liquor Board Alcohol Served Permit Checker tool and located an active server's license for del Fierro.
13. 0955 hours – NCIC/III check run on del Fierro.
14. 1010 hours – Phone call with **1(d)** Provided her with Sgt. Graves' phone number for direct coordination. She agreed to coordinate with SFPD for an interview.
15. 04/04/2016, 1329 hours – Received email notice from SFPD Sgt. Graves advising she had scheduled **1(d)** for a victim interview at their agency for 04/07/2016 at 1000 hours.
16. 04/07/2016, 1054 hours – Received email from San Francisco PD Sgt. Graves. That email contained an interview of **1(d)** conducted by Sgt. Graves, SFPD #1734 and Sgt. ~Gesana, SFPD #1494, conducted at SFPD headquarters.

I later copied **1(d)** statement to compact disc (CD) for inclusion with this case file and uploaded to DEMS for preservation. That recording should be referred to for complete details, but in summary, **1(d)** gave the following account:

1(d) said she had known DelFierro for about 12 to 18 months before this incident. On 3/24/2016, she was at the Cha Cha Lounge in Seattle. At about 2200 hours, she drank a Prosecco cocktail there. At about 2300 hours she met up with DelFierro in the bar. DelFierro bought her two drinks, a beer and a whiskey, which she consumed. Del Fierro then purchased her another shot of whiskey. She stepped away from her drink to use the restroom and then came back and finished it. She remembered leaving the bar with



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DelFierro around 0045 to 0100 hours, but she doesn't remember arriving at the next bar, which she identified as the Crescent Lounge. She said DelFierro worked at the Crescent. There, she had a "malt liquor beer" there. She remembers nothing more about the night.

Her next memory was of waking up in DelFierro's apartment. She was nude and was in bed with DelFierro. DelFierro told her that he and she had had sex with each other. She said no condom was used. She had no recollection of the act, but said she "found semen in (her)."

As she woke up and began speaking with DelFierro, she described herself as feeling "out of it from the night before... woozy and dizzy." DelFierro put his hand on her head and had her perform oral sex on him. She said she "didn't say no" but instead felt "scared" and "obligated" to engage in that act.

After that act, DelFierro and 1(d) engaged in intercourse. Again, 1(d) said she felt "obligated" to engage in this act and "scared" about not doing so. DelFierro did not wear a condom in this sex act and she believed he ejaculated during this act. When asked for clarification around why she was fearful, 1(d) said she saw DelFierro get "visibly upset" about her "almost knocking over his cocaine." That made her not want to "mess with him."

When she left the apartment she said she "felt confused" and "disoriented" still.

1(d) said DelFierro did not make any direct threats to her in this incident.

1(d) said she "felt strange from other nights when she had drunk," which was the only thing that made her feel that she might have been drugged in some way.

She confirmed that she had gone to the hospital the following day and completed a sexual assault examination.

At the conclusion of the interview, 1(d) said she would be willing to go forward with prosecution in this case.

17. 1635 hours – Courtesy call to 1(d) advising I had the recording and would be continuing work on the case in the upcoming week.



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18. 04/14/2016 ~1500 hours – Went to the Crescent Lounge to look for video cameras. I spoke to Corwen, who was bartending. He talked to Steve, the owner, who confirmed they had cameras but wasn't sure how far back the recordings went. He asked me to return on 4/15 to speak with Steve about specifics. While I was there, I determined there were seven interior and one exterior camera in the lounge.

The Cha Cha Lounge was not open at the time of this area check.

19. 04/15/2016, 0945 hours – Met with Scott from Crescent Lounge management who assisted me in reviewing their video system for usable images from the night of this assault. We determined that the video had been “overwritten” and no footage for the night was available. Scott also checked the bar log from the night of the incident and said there were no incidents or notations of unusual activity logged.
20. 1222 hours – Emailed Erin Williams at the HCSATS requesting medical records from **1(d)** visit/examination.
21. 1230 hours – I determined the status of the sexual assault kit was still pending pickup. I confirmed that the SAK was due to be picked up and forwarded to SPD Evidence on 4/19/2016. Exam request forms to be submitted on transfer of the SAK to Evidence.
22. 04/18/2016, 0951 hours – Received (faxed) medical records from Harborview Hospital. Reviewed same and added these to the case file.
23. 04/19/2016 – I received an Evidence Transfer sheet from Det. L. Fiedler indicating the SAK and urine sample from **1(d)** sexual assault exam was transferred to the SPD Evidence Unit. (Sheet scanned and attached to this case file.)
24. 04/21/2016, 1100 hours – After confirming the SAK had been submitted to Evidence, I completed and sent (email) the required forms for DNA testing. Urine for toxicological examination will be delivered in person.
25. 04/26/2016, 1330 hours – I retrieved **1(d)** urine sample (evidence tag ID number 636986-1) from the Evidence Section and delivered it to the WSP Toxicology lab.



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26. 1715 hours – At the Cha Cha Lounge, I met with bartender “Alex” who advised that he believed video there was only stored for two weeks. He agreed to confirm that and re-contact me.

27. 5/13/2016 1033 hours – Phone call to witness [REDACTED] 1(d) No Answer. Voicemail left requesting call back.

28. 1200 hours –Received call-back from [REDACTED] 1(d) She provided an audio recorded statement about what she could recall from the incident.

Said she was friends and old neighbors in Seattle with [REDACTED] 1(d) She said on the date of the incident, [REDACTED] 1(d) was visiting [REDACTED] 1(d) from San Francisco, where [REDACTED] 1(d) now lives. [REDACTED] 1(d) went out with a (male) friend who she knew from a “karaoke place.” [REDACTED] 1(d) returned to [REDACTED] 1(d) home (where [REDACTED] 1(d) was staying) from her outing the next morning and appeared unusually tired. She slept all day, and woke up around 4 or 5 PM. They went to dinner and during dinner she “started remembering” parts of what happened the night before. Prior to that she couldn’t remember anything that happened. [REDACTED] 1(d) said [REDACTED] 1(d) was feeling “not right” and then, when they got home, [REDACTED] 1(d) began feeling worse, prompting them to call 9-1-1. She told [REDACTED] 1(d) that she thought she might have been drugged on her date. [REDACTED] 1(d) said [REDACTED] 1(d) “knows the feeling of being hung over” and that this was not similar to that. [REDACTED] 1(d) went with [REDACTED] 1(d) to the hospital and remained through the visit. [REDACTED] 1(d) said [REDACTED] 1(d) didn’t tell her about any sexual experience she had the night before, because she “couldn’t remember what happened.” [REDACTED] 1(d) said she didn’t know the man [REDACTED] 1(d) went out with the night before. She said [REDACTED] 1(d) knew the male from when she lived in Seattle and she would go to the karaoke bar where [REDACTED] 1(d) would go. She said [REDACTED] 1(d) never dated that guy before she left for San Francisco. Since the incident, [REDACTED] 1(d) and [REDACTED] 1(d) haven’t spoken about the incident again. [REDACTED] 1(d) said she has been with [REDACTED] 1(d) before when she has drunk too much, to the point of being “drunk.” She said she has never seen [REDACTED] 1(d) “black out” or forget what happened the night before. [REDACTED] 1(d) said she doesn’t know if [REDACTED] 1(d) uses any recreational drugs.

29. 5/18/2016 1655 hours – Phone call to DelFierro. No answer. Per the recording, his voicemail service was not set up and no message could be left.



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30. 6/7/2016 1104 hours – Telephone interview of del Fierro. That interview was audio-recorded and should be referred to for complete details. In summary, del Fierro provided the following account:

He knew 1(d) as a patron of a bar he worked at (The Crescent Lounge). He didn't have a dating relationship, and went out with her once, two to three months ago. He said that 1(d) was in town for the weekend and asked him if he had plans for that night. He agreed to meet at Cha Cha lounge. There, each had 2-3 drinks over 1.5-2 hours. Then they went to the Crescent Lounge. There, del Fierro had 2 more drinks and 1(d) had one more. They had no physical or romantic contact when they were out. They went back to his house to watch TV. Del Fierro said both were "a little drunk." They watched TV, and at some point he asked if it was ok if he could kiss her. She didn't say anything, but instead, moved in and kissed him. That led to them having "absolutely consensual" sex. Several times during sex he had to ask her to "calm down" because it was too much for him and it was causing pain. Del Fierro said that while they were having sex, it got to the point he was asking her, "please, please stop, I have to get up for work." It was too much.

Del Fierro woke up the next morning with 1(d) giving him oral sex on him. He didn't give her consent to that ("absolutely didn't"). He said he "very awkwardly had to usher her out" of his home so he could get to work. That was the last time he talked to her.

Before she left, 1(d) asked if they could see each other again, but del Fierro said he was busy. He hasn't had any more contact with her since they had sex.

When asked what "absolutely consensual" looked like and how did he know it was consensual, he said after they kissed, he got up and said he was confused about where this was going. He knew she had a partner and was unsure of what was happening. (1(d) reportedly desecrated herself to him as being in an "open relationship." 1(d) then stood up and took all her clothes off. She then reached for his pants and he "went along with it". During intercourse he would ask if it was ok. She would say, "keep going, keep going."

Del Fierro reported that they had intercourse twice that night. 1(d) started a third time, but del Fierro asked her to stop.

After the first intercourse, they talked and 1(d) shared that she intentionally wore the



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matching bra and panties, thinking she would “get laid tonight.”

During the course of the night del Fierro said **1(d)** became much more verbal and sexually aggressive. She was “very there, very intelligent. There was no stammering, no slurring of words.”

Del Fierro confirmed that he tends bar at Crescent. He says he knows “absolutely” a when a person is showing signs of intoxication. He can “definitely judge when someone is too far...” He can tell when someone is inebriated. He said if he were a bartender that night, he said he would have been comfortable serving her “one more” drink based on her level of intoxication. He believed her senses were “intact.”

Del Fierro said he “did nothing sexually pressuring.”

He said she did not seem “out of it” at any time either that night or the following morning.

The “one thing that really bothered” del Fierro about their interaction was the way he woke up. She was very pressing and very aggressive about (oral sex). He claimed to be “very much so surprised” by her act. He said the morning oral sex ended when he ejaculated. He said he initially tried to pull away, and as he did that, she went in further. He “melted, and gave up fighting... after three or five minutes (he) ‘succumbed’ to it.” After he ejaculated, he reported that **1(d)** “climbed on top” of him. He told her, “I can’t, I can’t I can’t. I have to go to work.” She seemed disappointed, but they didn’t talk about it.

When asked, he said he did not know of any other substances that she was on beside alcohol. He said she told him about a “vague medical condition” she had, but he didn’t know of any medicines she took. As far as he knows, she didn’t smoke any marijuana. He said say that he did smoke marijuana before they met up. He said he didn’t consume anything besides alcohol or marijuana.

When asked about knocking over cocaine, he said he didn’t have cocaine at his house. He said she did knock over a beer, and admitted that he got upset about that, sarcastically saying, “Well my deposit’s fucked now!”



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Del Fierro denied putting anything in [REDACTED] 1(d) drink that night. (“No sir. Absolutely not.”) He identified several people from the Crescent who were at the bar that night, but he didn’t know if she talked to any of them that night. Those people were:

Taylor Nelson – Security

Mark Anderson – Bartender

Evan Thomas – off duty worker

Del Fierro confirmed his current address is 902 Union #417, 98101. He said he is an Asian male, with black hair and brown eyes.

31. 06/09/2016, 1726 hours – Per my agreement with del Fierro, I emailed him my contact information and requested he call me if he had any questions.
32. 07/19/2016, 0702 hours – Request for status update sent to WSP Crime Lab.
33. 08/17/2016, 1405 hours – Received email notice from WSP (Jodi Sass) advising the case had been assigned for analysis there.
34. 09/21/2016, 0819 hours – Emailed WSP requesting a status on the examination of this evidence.
35. 10/3/2016, 0800 hours – Received WSP Crime Lab report for analysis done on the SA Examination. Results identified male DNA was located and entered into CODIS with no matches found. Refer to the report for details. Copy to case file.

No Toxicology results were with the Crime Lab report.

36. 10/5/2016, ~1300 hours – P/C to the WSP Toxicology Lab. They confirmed that the analysis and report on toxicology from V/ [REDACTED] 1(d) blood and urine had been completed in May. I advised that I hadn’t received those and requested they forward that report to me ASAP.
37. 10/6/2016, 1259 hours – I received the Toxicology report from the WSP Toxicology Lab. That indicated only the presence of Citalopram, an SSRI anti-depressant and Diphenhydramine, an antihistamine that treats allergies.



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38. 10/12/2016, 1155 hours – P/C to V/ 1(d) to discuss finding. When we talked, she said that the two substances found in her Toxicology exam were expected. I advised her that no other substances were identified. She had no new information to discuss. I explained next steps and ended the call.
39. 10/12/2016, 1615 hours – Based on this investigation, the case was forwarded to Sgt. Bair for review, with a recommendation of referral to the King County Prosecutor's Office for a Rape in the 3rd Degree (consent) filing review.

From: [Sullivan, David](#)
To: [Bair, Krista](#)
Subject: 2016-103948 [REDACTED] CIR.docx
Date: Wednesday, October 12, 2016 4:27:00 PM
Attachments: [2016-103948 \[REDACTED\] CIR.docx](#)

And another...

From: [Sullivan, David](#)
To: [Sullivan, David](#)
Subject: 2016-103948 (b)(1) CIR.docx
Date: Monday, October 17, 2016 10:00:04 AM
Attachments: [2016-103948 \(b\)\(1\) CIR.docx](#)

From: [Sullivan, David](#)
To: [Bair, Krista](#)
Subject: 2016-113678 (CIR).docx
Date: Friday, September 02, 2016 3:08:00 PM
Attachments: [2016-113678 \(CIR\).docx](#)

For review... <sigh>



Seattle Police Department Case Investigation Report

Case Investigation Report: 2016-113678
Type of Crime Rape
Date of Incident 1/1/2016
Date of Last Entry 9/2/2016
Detective David Sullivan #6953 Unit B722B
(206) 684-5588
David.Sullivan@Seattle.Gov

UCR-

CMS- Unfounded by Follow-Up Unit (S)

LODI- N/A

Entities:

Suspect:

SIMON, Nathaniel B.

B/M/DOB 02-16-1957

5'10" 180lbs. BRO Eyes, Bald

FBI/ 1(i)

SID/ 1(i)

SOC/ 3(b)

4251 AURORA AVE N APT #423, Seattle, WA 98103

(206)

Victim:

TILTON, Jamie A.

W/F/DOB 05-27-1967

Hammond House Shelter, Greenwood Ave N., Seattle WA 98117

(206) 541-9553



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Summary:

Jamie Tilton reported being drugged by a male, then raped at gunpoint at some point in the four days before 4/2/2016. She identified the male suspect as Nathaniel B. Simon. She and Simon had an on-and-off dating relationship since the summer of 2015, when they lived near one another in the Aloha Inn.

Investigation:

1. 04/04/2016 – Sgt. Bair assigned me to this investigation.
2. 04/05/2016, 0845 hours – I retrieved and reviewed the General Offense Report. I noted that the suspect was not identified, and that there was a reference to SPD GO #2016-94658. I retrieved and reviewed that report, noting it to be a behavioral crisis report involving the same victim as this case. Tilton mentioned the name of “Nathaniel Simon” in that case and identified him as someone she was afraid of. There was no other context around that mention.
3. 04/06/2016, 1500 hours – I researched Simon in RMS. I located case #2016-117014 from 04/05/2016. In that case, Simon was contacted by North Patrol and arrested for an outstanding out-of-county warrant. Tilton was also involved in that case, and she identified Simon as the man who allegedly raped her. The officer determined that Tilton was in a behavioral crisis in that case and provided her with crisis response services.
4. 1515 hours – I researched Simon in King County BARS system and determined he was still in their custody on the Whitman County warrant.
5. 1530 hours – Phone call to King County Crisis Services regarding Tilton. She is not tiered with any known mental health resources, but did use the DESC “drop in center” (216 James St.) on 4/5/2016.
6. 1540 hours – Based on information mentioned by Tilton and reported in Officer Stone’s report (specifically, that Simon reportedly carved “Do Not Resuscitate” on the chest of a former girlfriend), I researched Simon online and found news reports from 2011 substantiating that incident.



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7. 1545 hours – Email to SPD Vice Unit to determine if there was any prostitution history or involvement known for Tilton or Simon. Per Det. Brathwaite, none is known.
8. 1600 hours – Researched SPD case 16-868, a sexual assault complaint by Tilton from January of this year that identifies Simon as the suspect. I noted that “case managers” from the Aloha Inn (Catholic Community Services) were referenced in that report. I noted in that case that SAU Det. Jamieson attempted to investigate that allegation, but Tilton did not come in for an interview and she then stopped responding to his contact attempts.
9. 1605 hours – Phone call to Mallory Gustaz, Program Manager at the Aloha. Message left requesting call-back to discuss the January case.
10. 1615 hours – Ran criminal history checks on both Simon and Tilton. For Simon, I located a lengthy history of felony and misdemeanor convictions, including multiple violent, weapon-involved crimes as well as an old (1983) history of pimping/pandering in California. I located no criminal or arrest history on Tilton.
11. 1730 hours – Responded to the King County Jail (Seattle) and interviewed Simon. That conversation was audio recorded and should be referred to in its original form for complete details. However, key points are summarized below.

Simon was read his Miranda warning rights and agreed to continue the conversation.

Simon and Tilton had been dating since October or November of 2015. During that time, Simon stated that other residents in the Aloha Inn tried to separate them because they thought he was “no good for her.”

Simon portrayed their relationship as tumultuous, noting that Tilton has many medical problems for which she takes large quantities of prescription medications. Simon stated these medications alter Tilton’s level of consciousness and creates lethargy to the point where she refuses to move.

Concerning the reported assault on New Year’s Eve, Simon stated he and Tilton agreed to go on a “date” overnight to the Marco Polo Inn motel. They took Tilton’s car there. They



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arrived there at about 4PM. He was expecting that the two of them would 'have sex' there. He took luggage up to room, but Tilton remained in the car. He kept "flagging" Tilton to come up. She was in the car looking for her meds. She said she couldn't come up without her meds. She remained in the car looking for the meds and Simon kept telling her they were up in the room. He kept telling her to come up to the room, which was right in front of where the car was parked. She refused, staying in the car for the next four hours. Simon went back to the car and tried to convince her to come up to the room. Simon said he took cell phone videos of her behavior in the car.

At around 8PM, Tilton got out of the car. She told Simon she was gonna kill him, and asked him if she wanted her to suck his dick so she could have her meds. Simon believed she was not serious about those statements and continued trying to get her to come up to the room. She remained outside the car flailing around.

Eventually, at about 9PM Simon went to the front desk and told "the hotel guy" Tilton was having a diabetic fit "or something." That employee offered to help Simon get Tilton up to the room. Together they "fireman carried her up" to their room.

Simon said she was still "going through it." He thought that maybe if she took a shower, she'd feel better. He helped her get out of her clothes to get a shower. He had to help move to the shower. She was still "screaming and carrying on" calling him racial epithets and berating him. He was trying to lift her and they fell several times together. Tilton accused Simon of hitting her. They finally made it to the shower where Simon helped her bathe.

After the shower, he helped her to the bed where she laid down. In the bed Tilton smoked "for two hours and four packs of cigarettes." Because of Tilton's lethargy, Simon held her cigarettes as she smoked. He called that 'exhausting'. Finally, he went to sleep. When he woke up at around 4PM, she was dressed and wanted to leave. She said she wanted to go to the hospital. Simon said Tilton was still "screwed up" and wasn't able to drive, so they checked out of the hotel and he drove her to Swedish Hospital. He left her there and took the bus back to the Aloha Inn.

Simon broke up with Tilton after that incident.

Simon denied having any sexual contact at all with Tilton at the hotel. He also denied



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ever being physically violent with Tilton. (“I did not at any time take all these actions, and... choke, or hit her, or anything else...”)

Simon stated Tilton has fibromyalgia and suffers from mental health conditions that include delusions. This gets worse when she “overmedicates.”

Simon described a usual behavior of Tilton was to get into stupors at the Aloha, and said that she would sit in her car for hours where she would take her meds, smoke and drink coffee.

Simon moved out of the Aloha and into Patrick’s Place in February 22, 2016. They rekindled their relationship and Tilton began staying off-and-on at his new apartment.

About three weeks before this interview, Simon broke up with Tilton again because of her “fits” and the disturbances she caused at his new apartment.

Simon noted that he lost his gun rights and hasn’t had a gun since 1976. (Tilton alleged that he held her at gunpoint at one time in their relationship, something that Simon denies ever doing.)

Concerning their sexual involvement with one another, Simon said he and Tilton had sex “eight times.” Four times in the Aloha, none at the Marco Polo, then four times since he moved into Patrick’s Place. He said it was never rough sex, and never non-consensual. He stated that Tilton has yelled at him before, threatening that she would call the police and tell them he raped her.

He said he hasn’t seen her since telling her to leave Patrick’s Place. He believes Tilton’s mother lives “right up the street” from him.

Simon denied “pimping out” Tilton, as she had alleged. He believed Tilton formerly worked as a prostitute in Alaska in the late-1970’s. He did not know her to work as a prostitute in Washington State. He said he denied ever causing physical harm to Tilton in any way.

Despite not claiming to understand Tilton’s motivation, Simon portrayed a pattern of Tilton filing police reports after him breaking up with her. This happened in January,



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2016 and then again in March-April, 2016

Simon confirmed that he regularly took Tilton to the Bartell's on 15th NW and Market Street to get her medicines. He said he had been there with her last about three weeks ago. He denied there was any altercation between him and her ever at Bartell's. He said she did get into an argument with an employee there on their last joint visit there.

At the conclusion of the interview, Simon made clear that he wanted "nothing to do with Jamie Tilton" anymore.

12. 04/07/2016, 1148 hours – Phone call to Jamie Tilton on (cell) 206-890-5330. That number belongs to Aloha Case Manager Eddie Mahon. He said Tilton no longer lives at the Aloha and had no current cell phone number for Tilton.
13. 1200 hours – Phone call to secondary number for Tilton (206-474-4445). That number had an automated message stating that the person at that number could not accept incoming calls at this time.
14. 1205 hours – Phone call to DESC's Drop-in Resource Center where Tilton reportedly took services recently. They advised she was presently at the Crisis Diversion Facility (CDF) and provided me with telephone number 206-682-2371.
15. 1210 hours – Phone call to CDF. They confirmed Tilton was at their facility and they agreed to pass on my number so she could call me.
16. 1225 hours – Phone call from Tilton. That call was audio recorded and should be referred to for complete details. Tilton presented with significantly pressured, rapid speech and was difficult to keep focused on a singular subject for any significant amount of time. Throughout the conversation she displayed paranoid, delusional thoughts that seemed to be only somewhat grounded in reality. She said she was staying at the Crisis Solution Center (CSC) for the time being because she was being "abused" by her mother and could not stay with her.

Without prompting, Tilton claimed Simon assaulted her at Walgreens in Ballard "two weeks or less ago by gunpoint... date raped" her and she wound up in "Cherry Hospital."



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She claimed Simon was “ruining her life”

She also said she was “afraid of the police department” because they “assaulted” her recently. She referenced the “Lincoln Towing disaster” (crisis call #16-86924) as proof of that.

Said she believed she was in a locked facility (CSC is not locked) that she called a “safe house” for people who had been traumatized. She agreed to an interview

I told her Simon had been arrested on the warrant, which seemed to cause her significant joy and relief. She said she was going to do a restraining order against him “today.”

She told me, “Since you guys arrested him now, I’m going to make sure he gets the death penalty. I know we don’t have it here, but guess what, he’s been doing crimes in Alaska and Washington and Hawaii, and I’ve been in Alaska a third of the time and they have the death penalty. He has killed many women, assaulted many women, identity theft. He is an evil monster. He used to be a horrible pimp in Alaska and Hawaii.”

She then talked about moving in to Simon’s apartment building. She insisted that he wouldn’t be able to move back into his apartment because of his criminal history. When I challenged her on that, she became emotionally escalated, claiming that if he has “even a hint of a sexual crime” he’ll be kicked out of low-income housing and then she could move in. She claimed to have a “genius level IQ” and to know the laws in Seattle, and that she could “get him right now.” When I said I didn’t think (his eviction based on the criteria she was talking about) was going to happen, she said, “I know it’s going to happen. I’m going to make it happen.”

She claimed to have been his “sex slave” for the past six months and said, “My goal here is... He’s a sick serial... sex offender/criminal.” “He is a very sick individual and he should be back in jail.”

At the conclusion of the interview, we agreed to an in-person interview at police headquarters at 1400 hours on 4/13/2016.

17. ~1245 hours – I phoned “Barb” at CSC. She confirmed that Tilton was in a manic state, and was in need of mental health services, but that she was not currently



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receptive to that treatment. Barb said she would assist Tilton with getting to SPD HQ on Wednesday for the interview.

18. 04/13/2016, 0905 hours – Phone call to CSC. Tilton is still staying there, but they didn't know if she was planning on being at today's interview at headquarters.
19. 0935 hours – Phone call to Mallory Gustave, Program Director for the Aloha Inn. Reached her on (206) 283-6020. She provided an audio-recorded statement that I later copied to CD for inclusion with this case file and uploaded to DEMS for preservation. That recording should be referred to for complete details. However, during the conversation, Gustave did not provide any evidence supporting or refuting the allegation being made by Tilton.
20. 1200 hours – Phone call to Patrick Place Program Director Randy Costello to discuss Simon's tenancy and determine viability of CCTV images in front of Simon's door. Called on (206) 737-9255. No answer. Voicemail left.
21. 1300 hours – Facebook search conducted on Tilton and Simon. Pages found on both. No substantial information found on Simon's page. On Tilton's page, I located multiple posts relating to wither Simon and her allegation of rape or the Seattle PD. Those publicly-viewable posts included the following (Copied directly from Tilton's page):

Jamie Tilton
March 14 at 9:53am ·

..

KYLE JUST LET ME TAKE DOWN !!!!!!!!!!! NATHANIAL SIMON THIS EVIL MONSTER I
HAVE BEEN DEALING WITH!

HE SHOULD BE GOING DOWN DOWN DOWN DOWN DOWN VERY SOON!

YOU ARE MY SOON WHO I LOVE AND HAVE ALWAYS LOVED AND WHO I LOVE
UNCONDITIONALLY!



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ARIELLE TOO!

I JUST WANT BOTH OF YOU HAPPY AND HEALTHY I ALWAYS HAVE I HAVE JUST HAD
SO MUCH TRAUMA IN MY LIFE!

Jamie Tilton
March 14 at 8:45am ·

..

WHY CANT ANY WOMEN GET A RAPE KIT AT ANY HOSPITAL IT IS THE LAW
!!

Jamie Tilton
March 14 at 8:41am ·

..

NEWS STORY COMING CORUPT POLICE DOWNTOWN SEATTLE THE WHOLE PARKING
RACKET!

GOING DOWN DOWN!



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Jamie Tilton
March 14 at 8:33am ·

..

NEXT STORY HOW VERY CORUPT SEATTLE POLICE AND KING COUNTY POLICE
DEPARTMENT WORKS WITH THE VERY CORUPT LINCOLN TOWING OPERATE AND
STILL DOING IT TODAY!!

Jamie Tilton
March 13 ·

..
!!
COME ON SEATTLE AND KING COUNTY POLICE DEPARTMENT LETS PUT THIS
MONSTER DOWN IT WILL GIVE ME GREAT PLEASURE FOR ME TO SEE HIM GET THE
DEATH PENALTY BEFORE HE HURTS ANYONE I AM DEFINITELY UP FOR THE
CHALLENGE?
!!

Jamie Tilton
March 13 ·

..
HEY LETS GET THIS SERIAL SEX OFFENDER, SERIAL CRIMINAL, SADISTIC, EVIL, COLD
BLOODED, MONSTER, BACK IN PRISON WHO IS ONLY OUT OF PRISON BECAUSE HE
TOOK A PLEA BARGAIN FOR TRYING TO STAB HER, HE CARVED DO NOT RESUSAITATE
ON HER CHEST, HE WILL SEXUALLY ASSSAULT ANY WOMAN THAT IS ALONE WITH
HIM, EVREYONE IS IN DANGER OF BEING ROBBED WHEN ARROUND HIM, HE JUST
LOVES ID'S, SOCIAL SECURITY CARDS, BIRTH CERTIFICATES, PASSPORTS, ETC, ETC,
ETC, HE IS AFRICAN AMERICAN 59 or 60, NATHANIAL SIMON, LETS ALL HELP GET THIS
MONSTER OFF THE STREET, HE LIVES AT ST. PATRICKS PLACE ON ABOUT 43rd and
Aurora in Seattle, WA., ANY HELP FROM ANYONE TO TAKE THIS EVIL MONSTER OFF THE
STREETS WILL BE GREATLY

[illegible]

- Ultimately, I agreed to attempt to meet with her tomorrow at the CDF to conduct the interview.

- When he recalled seeing Tilton and Simon together in the facility, Morrella said he did not recall any drama or problems between them.



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Morrella confirmed the building had a video camera system, but that the system only stores two weeks' worth of footage.

26. ~1300 hours – I arrived at the Crisis Solution Center to interview Tilton. On arrival, Case Managers Michelle Auden and Taylisha Hill advised me that Tilton had checked out of the facility about 90 minutes earlier. They said she violated the rules the day before (relating to times she was required to be present in the building) and was told she had to leave today. They provided her with shelter information, but didn't know where she planned to stay. They called her a cab for transport to the Social Security office on 2nd Ave downtown, which is where Tilton wanted to go. Auden said Tilton provided the "Real Change" office as her mailing address. That address is 96 S. Main Street, Seattle.
27. ~1315 hours – I heard a voicemail from Tilton that she left on my work desk phone today before leaving CSC. She said she was leaving CSC, but would "be in touch." She provided a phone number of 206-474-4445. I phoned that number but received a message saying the subscriber couldn't take calls on that number at this time.
28. ~1340 hours – I went to the Social Security office and determined that Tilton was not present there.
29. 05/12/2016, 1005 hours – Phone call to Jamie Tilton to attempt to follow up on this case. Received automated message indicating, "The subscriber you have dialed is not in service."
- I checked Facebook and determined Tilton had made no public posts there since mid-March.
- RMS check identified CRISIS call 2016-142380 phoned in by Tilton. I located phone number (206) 841-9553 as the phone Tilton used to call that in.
30. 1015 hours - Phone call to 206-841-9553 in an attempt to contact Tilton. No answer. Voicemail left requesting call-back.



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31. 6/1/2016, 1500 hours – Met with Mallory Gustafson at the Aloha Inn. Requested she look through Tilton’s file for documentation involving these allegations against Simon. She agreed, but said if anything is found, we would have to provide a release of information signed by Tilton.
32. 6/24/2016, 1519 hours – Received voicemail from Tilton. She requested a call-back, stating that Simon had been continuing to “stalk” her. (Note: I was out of the office on a training assignment from 6/20-6/24/2016.)
33. 6/25/2016, 1435 hours – P/C to Tilton at 206-841-9553. She advised that S/Simon is stalking her. In support of this, she said that S/Simon went to the Real Change office on 1st and Main where Tilton gets papers to sell. He has no affiliation with Real Change. V/Tilton was in the bathroom in the back office at the time. When she came out of the bathroom, one of the workers told her that an African American gentleman fitting Simon’s description was “asking everyone about me.” This happened on 6/23/2016 around 1000 hours. She wasn’t sure the names of those who were working in the office at the time. Later, she saw S/Simon across the street from the 87th and Greenwood Safeway where she sells Real Change. She is going to court on Monday 6/27 for a NCO. She has pepper spray now because she is afraid of him. She still wishes to press charges against S/Simon for sexual assault. She is staying at a shelter called Hammond House. She will be there until she receives housing. She sees Simon 2-3 times a day, and not just on the bus. He hides in the back when she is on the bus. She knows that he wants to kill her because of the sexual assault case she has against him.
34. 6/28/2016, 1425 hours – NCIC/WWCIC search completed. No orders found between V/Tilton and S/Simon.
35. 1425 hours – P/C to V/Tilton seeking information on the TRO, the name of the Real Change employee who witnessed S/Simon in their office, and the bus numbers (routes) she has seen S/Simon following her on. VM left.
36. 6/29/2016, 1455 hours – P/C from V/Tilton. She said a TRO had been issued, but was unsure if it had been served on him. I checked and determined that the order is not yet in the WWCIC system.



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37. 6/30/2016, 1100 hours – Checked WWCIC. No order found.

38. 1510 hours – P/C to S/Simon. He advised that he had changed phones after being released from Whitman County Jail and he didn't believe he had the previously-mentioned texts anymore. He agreed to provide the old phone for forensic examination if there appeared to be any way to retrieve those messages.

S/Simon continued denying any criminal acts against Tilton, specifically stating that he has never threatened her, never assaulted her and never possessed a firearm since knowing her. He said he heard recently through others that Tilton is accusing him of stealing her car and her possessions, which he also denied.

Concerning the recent allegation of “stalking” made by Tilton, S/Simon confirmed he had seen Tilton three times on busses since being released from Jail. The first time was two days after returning to the Seattle area (from Whitman County), and the most recent time was three days ago. He said these were random encounters, and he did not speak to her in any of them. He said he purposely avoided contact with her and intended on continuing to do so. I recommended he disembark or leave the area if he found himself on the same bus or in the same area as Tilton. He agreed that he would do that.

39. 8/8/2016, 1845 hours – met with Marco Polo General Manager Jonathan Marshall. He researched any records on Tilton/Simon's 12/31/2015 stay. He had no recollection of them, and said he did not recall any disturbances around that time. He located their registration card for the stay and provided me with a copy of it. He noted from the handwriting that he was not the person who checked them in. He believed the person who did was Harry Chu, the motel owner. He said Mr. Chu would be in on Wednesday.

40. 8/31/2016, ~1200 hours – No contact received from Mr. Chu. P/C to Marco Polo requesting he call me.

41. 1625 hours – P/C from Mr. Chu. He had no recollection of any disturbance on the night of New Year's Eve or day.

42. 9/2/2016 – No evidence has been located through this investigation to support an allegation of rape (or any other of the many allegations made) against Simon. Case recommended for closure as unfounded by follow-up unit.



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43. 1515 hours – Case forwarded to Sgt. Bair for review.

From: [Sullivan, David](#)
To: [Sullivan, David](#)
Subject: 2016-113678 TILTON (CIR).docx
Date: Thursday, June 30, 2016 12:56:00 PM
Attachments: [2016-113678 \(CIR\).docx](#)

From: [Sullivan, David](#)
To: [Sullivan, David](#)
Subject: 2016-113678 TILTON (CIR).docx
Date: Thursday, June 30, 2016 12:57:57 PM
Attachments: [2016-113678 \(CIR\).docx](#)

From: [Sullivan, David](#)
To: [Bair, Krista](#)
Subject: 2017-42834 CIR GUESS v. [REDACTED] (1).docx
Date: Wednesday, March 08, 2017 4:01:00 PM
Attachments: [2017-42834 CIR GUESS v. \[REDACTED\] \(1\).docx](#)

For review...



Seattle Police Department Case Investigation Report

Case Investigation Report: 2017- – CIR #1

Type of Crime: Indecent Liberties
Date of Incident: 2/4/2017
Date of Last Entry: 3/8/2017
Submitted by: Detective David J. Sullivan, serial #6953,
Seattle Police Department,
Sexual Assault and Child Abuse Unit, B722B,
Phone number 206-684-5788,
david.sullivan@seattle.gov

UCR-

CMS- Pending Further Information (2)

LODI-

Entities:

Subject:

GUESS, EUGENE B. JR
B/M/DOB 12-19-1985
HGT/601 WGT/230 HAI/BLK EYE/BRO
SID/ [REDACTED] 1(i) NAM
FBI/ [REDACTED] 1(i)
14816 32ND PL S., SEATAC, Washington 98168

Criminal History:
2007 – MISDEMEANOR TRESPASS (NEVADA)

Victim:

DO NOT DISCLOSE

[REDACTED] 1(d)
1(d) 47TH STREET WEST, LYNNWOOD, WA 98036
W/F DOB 1(d)-1992
HGT/504. WGT/170. HAI/BRO. EYE/GRY.
Phone: (206) 1(d)
Message Phone :(907) 1(d)



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Witness:

DO NOT DISCLOSE

1(d)

(Property manager for the building)

DOB 1(d)-1992

1(d) Occidental Ave S. #1(d) Seattle, WA 98134

(425) 1(d)

DO NOT DISCLOSE

1(d)

B/M/DOB 1(d)-1986

1(d) OCCIDENTAL AV S SUITE 1(d) Seattle, WA 98134

Officer:

West Precinct, 810 Virginia St, Seattle, WA 98101 Phone: (206) 625-5011

1K 4161 MONZON, PHILIP R

1K1 7808 MOORE, PATRICK J.

1K1 7662 CULBERTSON, SEAN D

1Q1 6622 MCDONALD, MICHAEL T

2K3 7728 YAHIA, MICHAEL A.

2M1 7640 TAYLOR, FIONA A

Summary:

On Friday 2-3-2017, victim 1(d) was at a party in the building located at 1(d) Occidental Ave South in the City of Seattle. The party was on the fourth floor of that building. During the party, she met several people, one of whom was a black male with a light complexion, medium build with distinctive cornrow-type braids.

Toward the end of the party, in the early-morning hours of Saturday 2-4-2017, 1(d) accompanied the unknown male and two other unidentified males the first floor of that same building where the unknown male had a workspace video studio in unit #1(d). While in the unit, the other males who were with the unknown suspect and 1(d) came in and out of the suite. In the unit, 1(d) was served two drinks by the unknown suspect. These were poured out of her sight, but she believed they were Crown Royal whiskey, from a large bottle of that liquor that was in the room.



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Shortly after receiving those drinks, [REDACTED] 1(d) began feeling atypically unsteady and believed she might have been drugged. As she started feeling this way, the unknown male began making forceful sexual advances on her. Specifically, he attempted to forcibly remove her jeans. When she protested, verbally telling him “no” repeatedly, he became more forceful and removed a pistol from a drawer in the unit. The male brandished the pistol at the victim and continued removing her pants. At the same time, the male removed his penis from his pants and masturbated in front of the victim. Once her pants were off, the victim reported that the male touched her vagina.

As [REDACTED] 1(d) continued to protest, the male became agitated and began accusing the victim of having stolen money from him. He then demanded money from the victim. She said she did not have any money on her, at which time the male struck [REDACTED] 1(d) repeatedly on her head with the pistol. He took her cell phone from her at this time.

Fearing for her life, the victim told the suspect that she could get money out of her car. The suspect followed the victim to her car. At the time, the victim left the unit, she was not wearing shoes as she had left them in the unit. Once in her car, the victim locked herself in and sounded the car alarm. This caused the suspect to retreat back into the building.

The victim, now hysterical, flagged down a passer-by who called the police on her behalf.

Responding patrol officers conducted an investigation and were directed to Unit # [REDACTED] 1(d). Through a small opening in a window covering in that unit, they observed a partially-consumed Crown Royal liquor bottle and a pair of women’s high-heel shoes on a coffee table in the middle of that room. Those officers also noted the presence of video and security video equipment placed at the unit and appearing to surveil the unit itself.

The officers made contact with the building’s property manager and observed security video for the building. One camera view looked directly down the hall toward the entrance to unit # [REDACTED] 1(d). That camera showed the victim and three males entering and exiting the unit. The property manager also viewed the footage and identified the light-skinned male with cornrow braids as suspect Eugene Guess.

As this investigation progressed, V/ [REDACTED] 1(d) refused to cooperate with this investigator and ceased all communication. The case was closed as Pending Further Information.



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Investigation:

1. **2-4-2017, 1140 hrs.** I received a call from Sgt. Monroe. I missed that call and returned it at 1208 hrs. At that time, Sgt. Monroe explained the need for an SAU response to this incident and assigned me to the case.
2. **2-4-2017, 1240 hrs.** I made phone contact with the Ofc. Culbertson at the scene. He confirmed he and his partner were standing by at suite # **1(d)** which they identified as the likely scene. They had called the building property manager, Witness **1(d)** to the building to review security video and were awaiting his arrival. Ofc. Culbertson confirmed they had “locked down” the suite, and that no one was believed to be inside. Ofc Culbertson advised me that the victim had been taken away in hysterics and was presently at Harborview Hospital (“HMC”) with Officer Yahia standing by. Ofc. Culbertson provided me with a brief outline of the incident as it was presently known. He advised that the victim reported being drugged, and that at least part of this incident involved the use of a firearm by the suspect.
3. **2-4-2017, 1251 hrs.** I called Ofc. Yahia. He confirmed he was at HMC and was standing by with V/ **1(d)**. He told me she had recently been sedated because of her elevated agitation and that she was presently asleep. I requested Ofc. Yahia ensure the Social Work and attending medical staff know that the allegation involved a possible drug facilitated sexual assault, and to request they collect blood and urine samples as soon as possible. He agreed to make them aware.
4. **2-4-2017, 1313 hrs.** Ofc. Yahia messaged me with contact information for the HMC Social Worker attending V/ **1(d)**. She was identified as Bethel Spagnolo at the Social Work Desk at HMC (206-744-4028).
5. **2-4-2017, ~1335 hrs.** I arrived at the crime scene address and spoke with Officers Culbertson and Moore. They were with W/ **1(d)** reviewing building security cameras in the management office. They briefed me on their investigation to date and then walked me to Suite # **1(d)** where Officer Taylor was standing by. I looked into Suite # **1(d)** through an opening in the window covers. I observed a table in the middle of the room that had – among other items – women’s high-heel shoes and an empty bottle of Crown Royal whiskey. From my briefing with the officers, I understood these items were relevant to the offense, as V/ **1(d)** reported exiting the suite without her shoes and did so after consuming Crown Royal whiskey. Based on these details, as well as my own brief review of security camera footage that W/ **1(d)** was reviewing, I believed this



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was likely the scene of the reported crime. I tasked the officers with continuing to surveil the suite until I could interview the victim and potentially obtain a warrant to search the suite.

6. **2-4-2017, 1438 hrs.** I called HMC Social Work and spoke with SW/Spagnolo. She told me that she had done an initial assessment and interview with V/ 1(d) but that she had been very agitated and needed sedation. Spagnolo said that she was able to learn from V/ 1(d) that she had met the suspect in this case at a party in the building, and that they had gone to his studio after the party. Spagnolo said the victim told her the suspect had put his hands around her neck, and that he had taken his penis out. Spagnolo was not able to get a sufficient understanding of whether any penetration had taken place. Spagnolo said the victim did not know the suspect.

Spagnolo did say that despite the sedation, the victim was regaining consciousness, and that she was becoming agitated again and wanted to leave the hospital. I agreed to come there as soon as possible to speak with the victim. Spagnolo said she had already paged the Sexual Assault specialty ("SANE") nurse to respond to the hospital.

7. **2-4-2017, 1450 hrs.** I arrived at HMC. I met with Spagnolo and SANE nurse Kimberly Bearbow. We discussed V/ 1(d) and her agitation. I explained my need to immediately speak with her. 1(d) Bearbow and a physician went to V/ 1(d) bed and did introductions.
8. **2-4-2017, 1500 hrs.** I did a very brief bedside interview of V/ 1(d) to determine probable cause and her willingness to cooperate with this criminal investigation. I recorded that conversation, and that recording should be referenced for best evidence. During the interview, I made the following notations concerning the offense. These observations are not a verbatim recounting of the interview.

V/ 1(d) said she escaped the room just before seeking help. She said she was being held at gunpoint by the suspect in the room. She identified the suspect as "Marcus." She said he was a light-skinned B/M with cornrows and a thin moustache. She said she met him on the 4th floor. She said she had been there with a friend named 'Kaleese.' She said she was hanging out on the first floor (with "Marcus") and had a couple drinks. Right after that she "felt really wierd." She said "Marcus" poured her a drink "in the other room" and right after consuming it she started to feel strange. She had been in the room for about an hour. After starting to feel strange, she said she wanted to go. "Marcus" started getting mad and accusing her of having his money. She said she denied that and said she had no money on her at all. "Marcus" started hitting her and he grabbed her throat. He pulled a "long silver gun out of a drawer" and held it to her head. He then



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hit her with it on her head. She recalled telling him, “if you need money, I have money,” and that she didn’t have to steal from anybody. She left the suite when “Marcus” briefly went out of the room. He followed her as she “went in the car” and “Marcus” said “OK, we’re gonna go pull out my money.” She said “Marcus” took her phone from her and kept it, making her unable to call for help. She locked herself in the car, and “Marcus” walked back into the building. He kept her phone.

On questioning V/ 1(d) about sexual assault, she became very emotional. She remembered “Marcus” pulling his (penis) out and she remembered telling him to “please stop.” She said she didn’t really remember too much, but she confirmed her clothing was pulled off. She didn’t know if the two of them had sex, but she did recall being “touched.” She said she remembered him saying that she had his money, and he was taking off her clothes. She confirmed that “Marcus” touched her on her “butt” and her “private parts” that she then confirmed was her vaginal area. She said “Marcus” touched her with his hand.

V/ 1(d) became emotional and unable to continue providing details about this assault. I stopped the interview and turned her care over to the SANE nurse.

9. **2-4-2017, 1635 hrs.** I completed a Search Warrant and Affidavit requesting permission to enter and search 1(d) Occidental Ave S. #1(d) 2K, Sgt. Byrd #6742 reviewed and approved the search warrant.
10. **2-4-2017, 1640 hrs.** I had a phone conversation with on-call Superior Court Judge John Erick. I then emailed him the signed Affidavit and Search Warrant.
11. **2-4-2017, 1657 hrs.** I received an email response from Judge Erick granting the authority to execute the warrant. Based on that email, I affixed Judge Erick’s approval to the warrant and attached the approving email.
12. **2-4-2017, ~1710 hrs.** SAU Det. Hatzenbuehler and I returned to the scene and initiated the search warrant with Officers Moore and Culbertson. We used a building master key provided by W/ 1(d) to avoid damaging the building. We provided two loud “knock-and-announcements” separated by a period of time sufficient for anyone inside to respond to the door. There was no response. We opened the door and delayed entry, assessing for movement. There was none. We entered and swept the small suite. There were no people found within. We then executed the warrant by first photographing the entirety of the suite in the state we found it. I photographed



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items identified as authorized for seizure as we located them. Upon completion, I re-photographed the suite as we left it, paying particular attention to photograph the multiple valuable electronic items left behind that were not authorized for seizure.

During the search, we located and seized multiple items. Of particular note, was a .45 caliber 6" barrel chrome Ruger revolver, seized from the suite's "office" and two baggies with suspected narcotics seized from a photo studio room. (Based on the location of the alcohol bottles and the victim's shoes, I suspected the photo studio might have been the "other room" the suspect entered to pour her whiskey drink.)

During service of the warrant, a male identified as 1(d) came to the suite. He said he was one of the leaseholders for the suite. He claimed to have no knowledge of the crime that had taken place there. He confirmed that others had access to the suite, but he did not provide their names. At the completion of our service of the warrant, 1(d) proved his association with the suite by showing me keys that opened the suite's front door locks. I also found numerous pieces of mail with his name on them inside the suite during service. Because of his legitimate connection to the suite, I handed him the warrant and a copy of the Inventory and Return of Search Warrant itemizing the seized belongings. I attempted to determine ownership of the bag from which we seized the firearm, but 1(d) was unwilling to discuss any details of the suite or property ownership with me at the time.

13. **2-4-2017, 1900 hrs.** Det. Hatzenbueher and I took the seized items to SPD Evidence and booked all of them in as evidence. Prior to submitting the firearm, I ran the serial number through SPD DATA. SPD employee Linda Hurley confirmed the firearm had no reports of either ownership or theft.
14. **2-5-2017, ~1300 hrs.** I came in to work on case documentation and further the investigation.
15. **2-5-2017, 1500 hrs.** I completed records checks on Suspect GUESS and Victim 1(d). Copies to file, and adverse finding (GUESS) noted above.
16. **2-5-2017, 1525 hrs.** I retrieved the CAD call for this incident and saved it to the case file.
17. **2-5-2017, 1530 hrs.** I emailed SPD Communications requesting the inbound 911 call recording and associated radio traffic.



Seattle Police Department Case Investigation Report

Case Investigation Report: Error! Reference source not found.42834

18. **2-6-2017, 0915 hrs.** I was contacted by Det. Pitts. He advised that he had called V/ [REDACTED] 1(d) and that she “didn’t want to do anything about this anymore.”
19. **2-6-2017, 0920 hrs.** Having interviewed V/ [REDACTED] 1(d) in the hospital, and recalling her agitated state on that day (and suspecting she could still be experiencing a trauma response during her conversation with Det. Pitts), I called V/ [REDACTED] 1(d) on her cell. She told me that she hadn’t slept since Saturday, and that she was not in any place mentally to talk right now. She agreed that she would call me back to discuss the case after she had a chance to sleep. In the conversation, I observed her speech to be pressured and she appeared to still be significantly distressed.
20. **2-6-2017, 0945 hrs.** I attempted to obtain a search warrant number and file the warrant, but due to inclement weather, the prosecutor’s office was closed for the day.
21. **2-7-2017, ~1400 hrs.** At the KCPAO, I obtained search warrant number 17-206 for the above-noted search warrant. I then filed the warrant, affidavit and return of service with the Clerk of the Court.
22. **2-7-2017, ~1400 hrs.** I received the 911 Communications recordings for this incident in interoffice mail. I reviewed those communications and placed copies in the case file.
23. **2-9-2017, 1437 hrs.** I called V/ [REDACTED] 1(d) She did not answer, and no voicemail was set up on her phone.
24. **2-9-2014, 1440 hrs.** I called V/ [REDACTED] 1(d) mother ([REDACTED] 1(d) stated “message” phone). The mother didn’t answer, and her voicemail box was full.
25. **2-13-2017, 0905 hrs.** I called V/ [REDACTED] 1(d) from two different lines (blocked and unblocked). She did not answer, and no voicemail was set up on her phone.
26. **2-13-2014, 0907 hrs.** I called V/ [REDACTED] 1(d) mother ([REDACTED] 1(d) stated “message” phone). The phone number was not in service (called twice).
27. **2-13-2014, 0911 hrs.** I briefed with Sgt. Bair on the status of the case.



Seattle Police Department Case Investigation Report

Case Investigation Report: Error! Reference source not found.42834

- 28.2-13-2017, 0935 hrs. I briefed with Victim Advocate Lisa Immerwahr and asked her to assist with contacting V/ 1(d)
- 29.2-13-2017, 0958 hrs. I sent V/ 1(d) a message on the Facebook social media platform requesting she call me.
- 30.2-14-2017, 1416 hrs. I texted V/ 1(d) requesting she contact me concerning this investigation.
- 31.2-14-2017, 1500 hrs. I received evidence photos and the Evidence Transfer Sheet from V/ 1(d) sexual assault examination.
- 32.2-15-2017, 1628 hrs. I received V/ 1(d) sexual assault examination records from HCSATS. Copy to file.
- 33.2-15-2017, 1740 hrs. No contact received from V/ 1(d) as yet. I prepared and mailed a contact letter requesting she call.
- 34.2-16-2017, 0930 hrs. I called Property Manager 1(d) (425- 1(d)) and requested he call back concerning collection of the security camera footage from the date of the incident.
- 35.2-21-2017, 1235 hrs. I called SPD Video Unit Specialist Fong. I requested he coordinate with W/ 1(d) to retrieve the security camera footage from the building. I provided Fong with W/ 1(d) contact information.
- 36.2-21-2017, 1419 hrs. I received an email from Fong. He confirmed that he had gone to the 1(d) Occidental building, but W/ 1(d) was not available. Fong said he checked the DVR for the camera system and confirmed that the system has sufficient storage available that there was no risk of "overwriting" the evidence images from the night of the assault.
- 37.2-21-2017, 1455 hrs. I made phone calls to V/ 1(d) and her mother's message number. There was no answer on her phone and her mother's line is disconnected.
- 38.2-21-2017, 1710 hrs. I submitted the victim's sexual assault kit paperwork to the WSP Crime Lab for processing of that evidence.



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39. **2-22-2017, 0823 hrs.** I received an email from the WSP Crime Lab identifying their assigned lab number as 117-000411
40. **3-8-2017, 1600 hrs.** No response received from V/ **1(d)** Case forwarded to Sgt. Bair with a recommendation for closure as Pending Further Information.

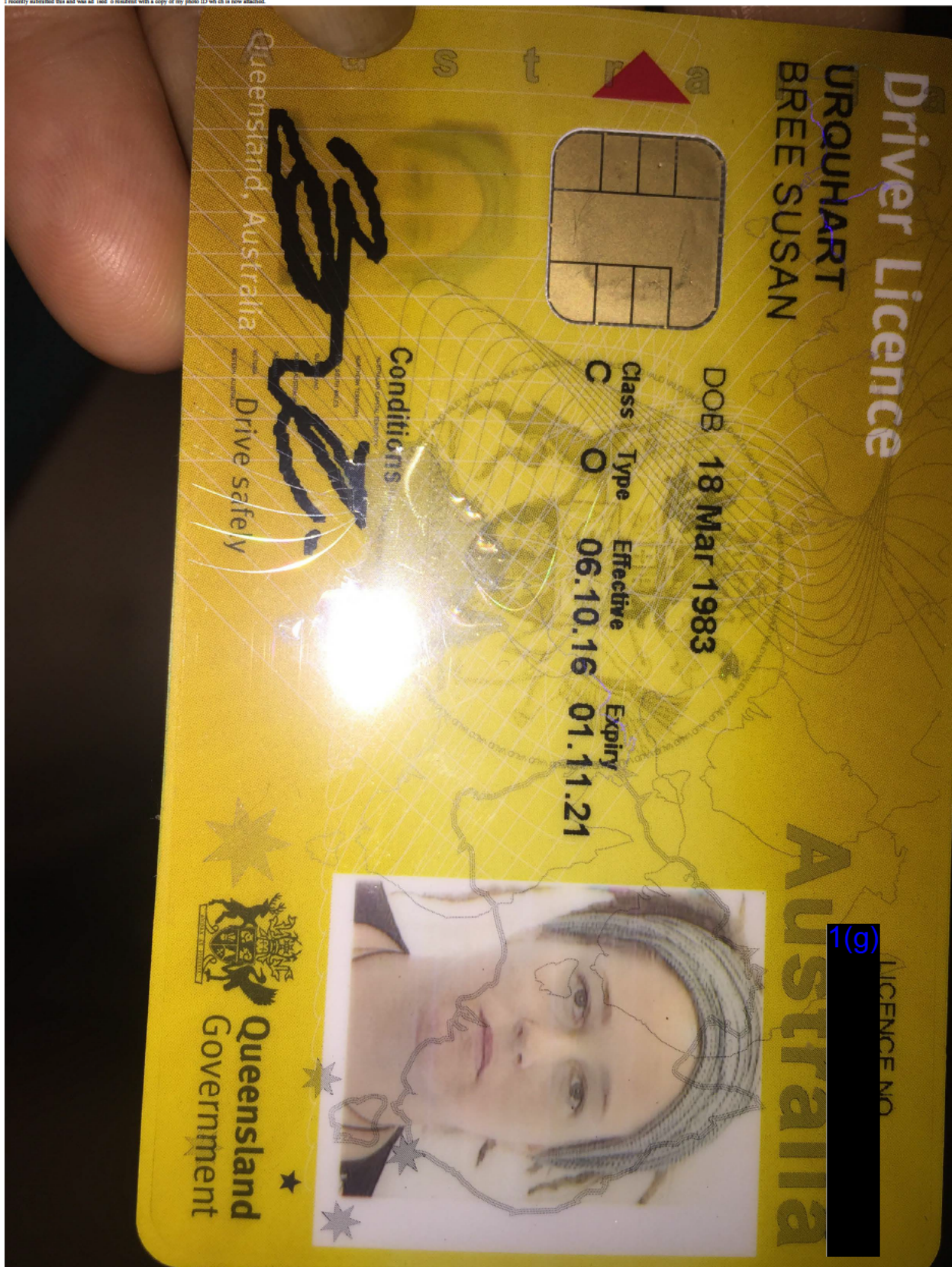
From: Susan Bree [mailto:susan.bree@qld.gov.au]
To: [mailto:susan.bree@qld.gov.au]
Subject: [mailto:susan.bree@qld.gov.au]
Date: [mailto:susan.bree@qld.gov.au]
Attachments: [mailto:susan.bree@qld.gov.au]

Attached is the application you requested.

From: Susan Bree [mailto:susan.bree@qld.gov.au]
Sent: Thursday, January 17, 2019 5:44 PM
To: [mailto:susan.bree@qld.gov.au]
Subject: Copy of application

16

I recently submitted this and was advised to resubmit with a copy of my photo ID which is now attached.



26-30 SHAMLEY HEATH ROAD
KUREELPA 4560

View terms of use and update your information at:
www.tmr.qld.gov.au



Card number

23F7 ECD1 A3

1929832 0218

I'm emailing from Australia. I was on holiday days in Seattle in August 2018 and had a drug spiking incident and had to attend hospital. My fiancé reported it to the police and they attended. My insurance company is asking for a copy of the report to help back my claim. Could I please obtain a copy of the report? The incident number is 18-297866. My name is Brece Urquhart and my fiancé who reported it is Gavin Tomen. We were at the Harborview Medical Centre and it was on the late hours of the 10th of August or in the early hours of the 11th of August when the officers attended. We have a Seattle Police Card and it has written on it Officer Jordan #8395.

Please let me know if you need any more information. I am reachable on this email address and my Australian phone number is 0 87 509 7.

Many thanks
Brece Urquhart

Get Outlook for iOS

Get Outlook for iOS



SEATTLE POLICE DEPARTMENT

GO# 2018-297866
INACTIVE

**GENERAL OFFENSE HARDCOPY
RECORDS REQUEST RELEASE COPY
(7399-0 SUSPICIOUS CIRCUMSTANCE)**

The Seattle Police Department considers this to be a request for information and not a public disclosure request under RCW 42.56. It is offered as a service to the public and is intended to provide the type of information most frequently requested from SPD.



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GENERAL OFFENSE HARDCOPY
RECORDS REQUEST RELEASE COPY
(7399-0 SUSPICIOUS CIRCUMSTANCE)

RECORDS REQUEST RELEASE COPY

Purpose RECORDS REQUEST

Date Released JAN-18-2019 (FRI.) 0945

Authorized By 5306-GIRON, ELAINE G

Released By 5306-GIRON, ELAINE G

RELEASED TO

Name URQUHART BREE

GENERAL RELEASE INSTRUCTIONS

ID VERIFIED EMAILED REPORT



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Details For Release

RELEASE GENERAL OFFENSE:RELEASE TRACKING - GO-2018-297866 AUG-11-18 SUSPICIOUS CIRCUMSTANCE
RELEASE PERSON:VICTIM #1 URQUHART, BREE S FEMALE MAR-18-1983
RELEASE PERSON:WITNESS #1 THOMSEN, GAVIN MALE 40 YRS
RELEASE NARRATIVE TEXT:(L) NARRATIVE NARRATIVE 2018-08-11 8395



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GENERAL OFFENSE HARDCOPY
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Details Not For Release

NOT FOR RELEASE CAD CALL:CLEARED CALL:2018-297866 1700 1 AV S 08/11/2018

NOT FOR RELEASE NARRATIVE TEXT:(L) [REPORT SNAPSH REPORT SNAPSHOT 2018-08-11 8395

NOT FOR RELEASE CLEARANCE BLOCK:STATUS: INACTIVE-SEATTLE POLICE DEPARTMENT 2018-AUG-15



**SEATTLE POLICE DEPARTMENT
GENERAL OFFENSE HARDCOPY
(SUSPICIOUS CIRCUMSTANCE)
GO# 2018-297866**

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Related Narrative(s)	3
1. NARRATIVE - NARRATIVE	3



SEATTLE POLICE DEPARTMENT

GO# 2018-297866
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GENERAL OFFENSE HARDCOPY RECORDS REQUEST RELEASE COPY (7399-0 SUSPICIOUS CIRCUMSTANCE)

General Offense Information

Operational Status INACTIVE
Reported On AUG-11-2018 (SAT.) 54
Occurred On AUG-10-2018 (FRI.) 1700
Approved On AUG-11-2018 (SAT.)
Approved By 6793 - RAGUSO, DOUG
Report Submitted By 8395 - JORDON, TRAVIS D
Org Unit EAST PCT 3RD W - E/G RELIEF
Address 1700 1 AV S
Place SHOWBOX SODO
Municipality SEATTLE
District O Beat O1 Grid 814
Bias -NONE (NO EVIDENCE OF BIAS)
Gang Involvement NO GANG INVOLVEMENT
Family Violence NO

Offenses (Completed/Attempted)

Offense # 1 7399-0 SUSPICIOUS CIRCUMSTANCE - COMPLETED
Location BAR/NIGHT CLUB
Suspected Of Using NOT APPLICABLE



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GENERAL OFFENSE HARDCOPY
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(7399-0 SUSPICIOUS CIRCUMSTANCE)

Related Event(s)

1. CP 2018-297866

Related Person(s)

1. VICTIM # 1 - URQUHART, BREE S

CASE SPECIFIC INFORMATION

Sex FEMALE
Race WHITE
Date Of Birth MAR-18-1983
Cellular (424) 380-1473

LINKAGE FACTORS

Resident Status NON-SEATTLE RESIDENT
Age Range K - 30-49 YEARS
Access To Firearm NO
Victim Of 7399- 0 SUSPICIOUS CIRCUMSTANCE - COMPLETED

2. WITNESS # 1 - THOMSEN, GAVIN

CASE SPECIFIC INFORMATION

Sex MALE
Race WHITE
Year Of Birth 1978
Approximate Age 41
Cellular (424) 380-1473
Email GAVENTHOMSEN@@GMAIL.COM

LINKAGE FACTORS

Resident Status NON-SEATTLE RESIDENT
Age Range K - 30-49 YEARS
Access To Firearm NO



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GENERAL OFFENSE HARDCOPY RECORDS REQUEST RELEASE COPY (7399-0 SUSPICIOUS CIRCUMSTANCE)

Related Text Page(s)

Document NARRATIVE

Author 8395 - JORDON, TRAVIS D

Subject NARRATIVE

Related Date/Time AUG-11-2018 (SAT.) 0135

[TT_VERSION 1.1]

[GO TEMPLATE]

1 BACK-UP OFFICERS(S): (NAMES, SERIAL #'s, AND ROLES IN INCIDENT)

[

]

2 CHARGES: []

CHARGE DESCRIPTION:

[

]

3 ARREST SCREENED BY: (SUPERVISOR'S NAME AND SERIAL)

[

]

4 PHOTO(S) TAKEN? [N]

IF SO, []UPLOADED TO DEMS, OR []ICV USED

5 RECORDED STATEMENT(S) TAKEN? [N]

IF SO, []UPLOADED TO DEMS, OR []ICV USED

6 VIDEO:

A. DIGITAL IN-CAR VIDEO(S) UPLOADED? [N]

IF NO, PROVIDE REASON:

[Investigation took place within HMC.

]

RECORDING OFFICER(S): NAME(S), SERIAL #'(S)

[

]

B. BODY-WORN VIDEO(S) UPLOADED? [N]

IF NO, PROVIDE REASON:

[

]

RECORDING OFFICER(S): NAME(S), SERIAL #'(S)

[Investigation took place within HMC.

]

7 DNA / FORENSIC EVIDENCE SUBMITTED? [N]



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8 FINGERPRINTS:
FINGERPRINTS SEARCH MADE? [N]
FINGERPRINT EVIDENCE OR CARDS SUBMITTED? [N]
ANALYSIS REQUEST SUBMITTED? [N]
COMPARISON REQUEST SUBMITTED? [N]

9 FELONY ALERT PACKET SUBMITTED? [N]
OFFICER SUBMITTING: []
FOLLOW-UP UNIT DESTINATION: []

10 USE OF FORCE REPORT SUBMITTED? [N]
USE OF FORCE SCREENED BY (SUPERVISOR'S NAME AND SERIAL):
[]

11 LIST ALL HARDCOPY PAPERWORK SUBMITTED:
[] ARREST REFERRAL TRACKING SHEET (Crisis Solution Center)
[] CRIMINAL TRESPASS WARNING 5.34.1
[] DUI PACKET
[] DV SUPPLEMENTALS
[] IDENTITY and MAIL THEFT (Photocopy of Recovered ID or Mail)
[] INVENTORY SEARCH FORM
[] MENTAL HEALTH CONTACT REPORT
[] PARK EXCLUSION
[] TOW IMPOUND RECORD
[] VEHICLE REPORT
[] WRITTEN STATEMENTS (Required on Felony Arr, Juvenile Crime, DV Incident)
[] OTHER (Describe in Box Below)
[]

12 VICTIM(S) INJURIES: SFD Responded? [N]
[]

13 INCIDENTAL PROPERTY DAMAGE: (DESCRIPTION AND VALUE)
[]

14 VEHICLE IMPOUNDED? [N]
STORAGE LOCATION: []

15 INITIAL INCIDENT DESCRIPTION / NARRATIVE:
[On 8/11/2018 at 0102 hours I was dispatched to an assault call at 325 9 AV at Harborview Medical Center. The call read as follows: "BED 4: INV POSS ASLT BY DRUGGING TO RP'S GIRLF OCC 1730, NO SUSP INFO."

Once I arrived, I contacted the caller Gavin Thomsen. Thomsen was sitting by the medical bed where his girlfriend, Bree Urquhart was sleeping. Thomsen explained to me that him and Urquhart were from Australia and only in town a few more days. Thomsen stated they will be returning to Australia next week.

Thomsen stated that he and Urquhart were out and drinking today. He stated that



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Urquhart had about 6 beers over several hours, before they went to the SoDo Showbox. At the Showbox Urquhart had two scotch drinks.

Thomsen stated that it was not out of the ordinary for Urquhart to drink as much as she did.

Thomsen and Urquhart left the Showbox and Urquhart began to throw up on the street and become very ill. An ambulance responded and transported them to HMC around 1700 hours.

Thomsen stated that he believes that someone may have slipped something in Urquhart's drink as the amount she drank was not abnormal for her. Thomsen does not know who may have put anything in her drink. Thomsen and Urquhart did not see anyone put anything in her drink.

I provided Thomsen a business card with the incident number on it.]

I hereby declare (certify) under penalty of perjury under the laws of the State of Washington that this report is true and correct to the best of my knowledge and belief (RCW 9A.72.085)

Electronically signed:
JORDON, TRAVIS D

Date:

Aug-11-2018

Place: Seattle, WA



SEATTLE POLICE DEPARTMENT

GO# 2018-297866
INACTIVE

GENERAL OFFENSE HARDCOPY
RECORDS REQUEST RELEASE COPY
(7399-0 SUSPICIOUS CIRCUMSTANCE)

*** END OF HARDCOPY ***

From: [Bair, Krista](#)
To: [Sullivan, David](#)
Subject: Re: 2016-103948 ([1\(d\)](#)) CIR.docx
Date: Wednesday, October 12, 2016 10:00:05 PM
Attachments: [2016-103948 \(\[1\\(d\\)\]\(#\) \) CIR \(Bair, Krista\).docx](#)

k I can't figure out how to edit this on this computer.

Good report.

- paragraph #12, who is "he" that is in the liquor biz
- #16, not explicitly threatened...indirectly threatened? why scared or intimidated to stop / say no?
- #30, he says he was in too much pain...how? why? volume of sex? intensity ?
- word "described" misspelled
- she wore matching panties and bra with intention of being laid... how did he know this? She tell him?
- any witnesses at Crescent Bar that could talk about her state of being?
-

sorry to be so fragmented...

From: Sullivan, David
Sent: Wednesday, October 12, 2016 4:27 PM
To: Bair, Krista
Subject: 2016-103948 ([1\(d\)](#)) CIR.docx

And another...